



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/897,237	07/02/2001	Mika Munenaka	09792909-5086	8226

7590 10/18/2004

David R. Metzger
SONNENSCHN NATH & ROSENTHAL
P.O. BOX #061080
Wacker Drive Station, Sears Tower
Chicago, IL 60606-1080

EXAMINER

AILES, BENJAMIN A

ART UNIT	PAPER NUMBER
----------	--------------

2142

DATE MAILED: 10/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/897,237	Applicant(s) MUNENAKA ET AL.	
	Examiner Benjamin A Ailes	Art Unit 2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-27 have been examined.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.
3. The effective filing date for the subject matter defined in the pending claims in this application is 7/5/2000.

Drawings

4. The drawings were received on 1/9/2002. These drawings are acceptable.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Angles et al. (U.S. Patent Number 5,933,811), hereinafter referred to as Angles et al.

7. Regarding claims 1, 10, and 19, Angles et al. disclose a content managing system comprising:

- A content library for storing files of a plurality of contents provided by a content provider (col. 12, lines 13-26 and col. 13, lines 21-34);

- Library managing means for managing said content library (col. 12, lines 51-60);
- Customer file storing means for storing the file of a content of each user to an area assigned to each user (col. 8, lines 10-13); and
- Customer file managing means for managing said customer file storing means (col. 11, lines 50-65),
- Wherein said content managing portion and a terminal unit of a user are connected through a network (Fig. 1 and col. 9, lines 4-19), and
- Wherein said content managing portion is operated by a terminal unit of a user... (Fig. 4 and col. 10, lines 20-32 and lines 43-59).

8. Regarding claims 2, 11, and 20, in accordance with claims 1, 10, and 19, respectively, Angles et al. disclose the contents of the content managing system being advertisements (col. 2, lines 49-51).

9. Regarding claims 3, 12, and 21, in accordance with claims 1, 10, and 19, respectively, Angles et al. disclose a content managing system wherein the content provider can freely change, replace, and delete the file of a content provided to said content library (col. 13, lines 21-23 and col. 15, lines 20-42).

10. Regarding claims 4, 13, and 22, in accordance with claims 1, 10, and 19, respectively, Angles et al. disclose the content managing system wherein the content managing portion counts the number of users who copied or linked the contents to their user areas and creates a database containing the counted values (col. 15, line 65 – col. 16, line 7).

11. Regarding claims 5, 14, and 23, in accordance with claims 1, 10, and 19, respectively, Angles et al. disclose the content managing system wherein said content managing portion counts the number of male users and the number of female users who copied their contents to their user areas and creates a database containing the counted values (col. 4, lines 17-20 and col. 14, lines 19-23).

12. Regarding claims 6, 15, and 24, in accordance with claims 1, 10, and 19, respectively, Angles et al. disclose the content managing system wherein said content managing portion counts the number of users in each age group who copied their contents to their user areas and creates a database containing the counted values (col. 4, lines 17-20 and col. 14, lines 19-23).

13. Regarding claims 7, 16, and 25, in accordance with claims 1, 10, and 19, respectively, Angles et al. disclose the content managing system wherein said content managing portion counts the number of clicks of each content copied or linked to each user area and creates a database containing the counted values (col. 15, line 65 – col. 16, line 7).

14. Regarding claims 8, 17, and 26, in accordance with claims 1, 10, and 19, respectively, Angles et al. disclose the content managing system wherein said content managing portion counts the clicked date and time of each content copied or linked to each user area and creates a database containing the counted values (col. 15, line 65 – col. 16, line 7).

15. Regarding claims 9, 18, and 27, in accordance with claims 1, 10, and 19, respectively, Angles et al. disclose the content managing system wherein said content

Art Unit: 2142

managing portion counts the period for which each content was stored or linked in each user area and creates a database containing the counted values (col. 15, line 65 - col. 16, line 7).

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Landsman et al. (U.S. 6,314,451) disclose an ad controller for use in implementing user-transparent network-distributed advertising and for interstitially displaying an advertisement so distributed.

Alberts (U.S. 5,937,392) discloses a banner advertising display system and method with frequency of advertisement control.

Merriman et al. (U.S. 5,948,061) disclose a method of delivery, targeting, and measuring advertising over networks.

Wodarz et al. (U.S. 5,999,912) disclose dynamic advertising scheduling, display, and tracking.

Kurtzman, II (U.S. 6,044,376) disclose a content stream analysis, a user profiling technique that generates a user profile based on the content files selected and viewed by a user.

Blumenau (U.S. 6,108,637) disclose monitoring of the display of content by a computer system.

Thomas (U.S. 6,128,663) discloses a method and apparatus for customization of information content provided to a requestor over a network using demographic information yet the user remains anonymous to the server.

Himmel et al. (U.S. 6,279,036) disclose a method and apparatus for detecting actual viewing of electronic advertisements.

Himmel et al. (U.S. 6,317,782) disclose a method and apparatus for detecting actual viewing of electronic advertisements and transmitting the detected information.

Haitsuka et al. (U.S. 6,366,298) disclose the monitoring of individual Internet usage.

Angles et al. (U.S. 6,385,592) disclose a system and method for delivering customized advertisements within interactive communication systems.

Krishan et al. (U.S. 6,442,529) disclose methods and apparatus for delivering targeted information and advertising over the Internet.

Lee et al. (U.S. 6,446,970) disclose a system and method for collecting and analyzing information about content requested in a network environment.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin A. Ailes whose telephone number is (703)305-0447 or (571)272-3892 after October 19, 2004. The examiner can normally be reached on Monday-Friday (8:30-6).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached at (703) 305-9705 or (571)272-3896 after

October 26, 2004. The fax phone number for the organization where this application or proceeding is assigned is (703)308-5358.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

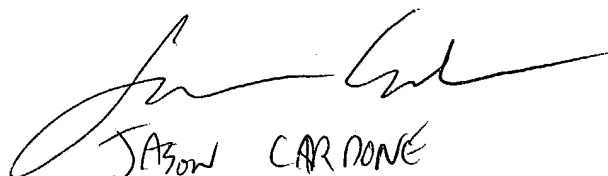
Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [benjamin.ailles@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Group receptionist whose telephone number is (703)305-3900.

Art Unit: 2142

Benjamin Ailes
Patent Examiner
Art Unit 2142

A handwritten signature in black ink, appearing to read "Jason Carbone". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

PRIMARY Examiner

Art Unit 2145